

## Message Text

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ACTION ARA-20

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 ACDA-19 IO-14 NIC-01 OMB-01 AID-20 DRC-01

/154 W

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R 142210Z NOV 73

FM AMEMBASSY TEGUCIGALPA

TO SECSTATE WASHDC 5673

INFO AMEMBASSY GUATEMALA

AMEMBASSY MANAGUA

AMEMBASSY SAN JOSE

AMEMBASSY SAN SALVADOR

USCINCSO

C O N F I D E N T I A L TEGUCIGALPA 4282

EO 11652: GDS

TAGS: PINT, HO

SUBJECT: PROTEST AGAINST POSSIBLE PRESS CENSORSHIP

REF: TEGUCIGALPA 4242, A-117

1. GOH PROMULGATED DECREE 92 ON NOVEMBER 8 WHICH SEEKS TO CURB SPECULATION AND EASE INFLATIONARY PRESSURES. THE DECREE INTRODUCES MODIFICATIONS INTO THE PENAL CODE WITH REGARD TO THE PUBLIC DISSEMINATION OF INFORMATION. AS ANNOUNCED IN DECREE 92, ARTICLE 536 OF THE PENAL CODE STATES THE FOLLOWING: "ANYONE WHO WITHIN THE COUNTRY OR ABROAD PUBLISHES OR REVEALS FALSE, EXAGGERATED OR TENDENTIOUS NEWS WHICH MAY ENDANGER OR DETERIORATE THE NATIONAL ECONOMY OR THE PUBLIC CREDIT, WILL BE PUNISHED WITH ONE TO THREE YEARS OF JAIL OR WITH A FINE OF 500 TO 2,000 LEMPIRAS." (\$1 - 2L)

2. THE HONDURAN PRESS ASSOCIATION (APH) NAMED A COMMITTEE ON NOVEMBER 14 TO PREPARE A RESOLUTION ON THE MEASURE. CARLOS  
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RIGOBERTO SOTO, THE PRESIDENT OF THE APH, MADE A DECLARATION

WHICH APPEARED IN LA NOTICIA ON NOVEMBER 14 STATING THAT "IN THE FUTURE THIS OR ANOTHER GOVERNMENT COULD APPLY ARTICLE 536 TO KEEP NEWSMEN FROM REPORTING." IN THE SAME EDITION, OSCAR REYES BACA, DIRECTOR OF THE SCHOOL OF JOURNALISM AT THE NATIONAL UNIVERSITY, SAID THAT THE SITUATION SHOULD BE STUDIED SERIOUSLY, BUT THAT THE ARTICLE "COULD BE UTILIZED AS A MEANS OF HARMING JOURNALISM IN GENERAL." LA NOTICIA AND LA PRENSA BOTH CARRIED EDITORIALS ON NOVEMBER 14 EXPRESSING ALARM AT THE PROSPECT THAT THE PROVISION COULD BE USED TO "GAG" THE MEDIA.

3. ON THE EVENING OF NOVEMBER 10 THE AMBASSADOR HAD AN OPPORTUNITY TO DISCUSS VARIOUS MATTERS WITH FONMIN BATRES (MEMCON FOLLOWS). ONE OF BATRES' MAIN POINTS WAS THAT THE GOVERNMENT WAS BECOMING INCREASINGLY ANNOYED AT WHAT IT VIEWED AS THE UNJUSTIFIED CRITICISM OF GOH ACTIONS BY THE MEDIA.

4. COMMENT: ALTHOUGH DECREE 92 IS WRITTEN IN CONTEXT OF ECONOMIC MATTERS, ARTICLE 536 IS BEING CONSIDERED BY PRESS ASSOCIATION AS A THREAT BY THE GOVERNMENT AGAINST CRITICISM NOT ONLY IN ECONOMIC BUT IN OTHER FIELDS. THIS VIEW SEEMS SUPPORTED BY BATRES' COMMENT. ON OTHER HAND, PRESS HAS BEEN SOMETIMES BOUGHT, OR NOT SHOWN RESPONSIBILITY ON OCCASIONS IN RECENT PAST.  
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